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TO: Nursing Homes
Facilities for the Developmentally Disabled
Resource Center Pilots

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**Monitoring Facility Compliance for Required Referrals for Pre-Admission Consultation (PAC)
for Residents of Family Care Pilot Counties with Aging and Disability Resource Centers**

Beginning January 1, 2002, the Bureau of Quality Assurance (BQA) will monitor facility compliance for the Pre-Admission Consultation (PAC) requirements that became effective with Wisconsin Act 9 (enacted 10/27/99). The purpose of this memo is to provide information on the procedures that BQA licensing certification specialists / surveyors will use in monitoring facility compliance with these requirements.

The PAC requirements were enacted as part of a broader legislation to create Family Care, a flexible new benefit to provide long-term care services for elders and people with disabilities, and a new system for managing these services. During the next several years, the new program will operate only in selected counties. The participating counties are Milwaukee, Kenosha, Fond du Lac, Portage, Marathon, LaCrosse, Trempealeau, Jackson and Richland.

In this new system, Aging and Disability Resource Centers provide broad information and assistance services to older people, people with disabilities and their families. Aging and Disability Resource Centers also provide long-term care options counseling, financial counseling, functional screening and assistance with financial eligibility determinations. PreAdmission Consultation services consist of financial counseling, functional screening and long-term care options counseling.

Failure by facilities to comply with the PAC requirements subjects the facility to an administrative forfeiture. (Reference BQA memo dated 1/24/00 for specific requirements.) Section 50.04(2h)(b) of the statutes provides penalties for nursing home noncompliance as follows: Failure to comply with the requirements of s.50.04(2h) is a class "C" violation under s.50.04(4)(b)3. If the Department finds that a Nursing Home or Facility for the Developmentally Disabled has not complied with the requirements of this section, it may directly impose a forfeiture of not more than \$500 for each violation. If the Department determines that a forfeiture should be assessed for a particular violation, the Department shall send a notice of assessment to the facility. The notice shall specify the amount of the forfeiture assessed, the violation of the statutes or rule alleged to have been violated and shall inform the facility of the right to a fair hearing.

Effective January 1, 2002, BQA staff will include in the survey process a random sampling of new admissions in the last six months in order to determine that a PAC referral was made to the Aging and Disability Resource Center prior to the admission of the resident. Failure to comply with the PAC requirement may result in the determination of a violation and may result in a subsequent forfeiture.